

IN THE UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF OHIO  
CLEVELAND DIVISION

In re:

RICHARD M. OSBORNE, SR.,

Debtor(s).

Case No. 17-17361-AIH

Chapter 7

Judge Arthur I. Harris

**TRUSTEE'S REPORT OF SALE**

Now comes Kari B. Coniglio, Chapter 7 Trustee herein, and herewith reports the sale of Debtor's real property located at VL Girdled Road, Concord, Ohio 44077, Lake Cty, Parcel 08-A-001-0000-490 for the net sum of \$100,000, with the sale occurring by private sale on December 2, 2019. The purchaser of the real estate was Matthew J. Gosnik and Kristen A. Gosnik. The amount offered for the real estate was approved by the Court pursuant to the Order (I) Authorizing the Trustee to Sell Real Property Free and Clear of Liens, Encumbrances and Other Interests Pursuant to 11 U.S.C. 21363; and (II) Vacating Prior Order Authorizing Sale (the "Sale Order") [Doc. 768]. A copy of the title company's Settlement Statement (HUD-1) is attached hereto as Exhibit 1.

Further, the Trustee states that the sale was conducted in strict conformity with the Sale Order, the United States Bankruptcy Code, and the Rules of Bankruptcy Procedure, with proper notice having been served prior to the sale and that the sales price was fair and reasonable.

Dated: February 17, 2020

Respectfully submitted,

/s/ Kari B. Coniglio  
Kari B. Coniglio #0081463  
Chapter 7 Trustee  
200 Public Square, Suite 1400  
Cleveland, OH 44114  
Tel (216) 479-6167  
Fax (216) 937-3766  
kbconiglio@vorys.com

## **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was served via the Court's Electronic Case Filing System on the following who are listed on the Court's Electronic Mail Notice List:

- Patrick R. Akers, [prakers@vorys.com](mailto:prakers@vorys.com)
- Gregory P. Amend, [gamend@bdblaw.com](mailto:gamend@bdblaw.com)
- Alison L. Archer, [alison.archer@ohioattorneygeneral.gov](mailto:alison.archer@ohioattorneygeneral.gov)
- Richard M. Bain, [rbain@meyersroman.com](mailto:rbain@meyersroman.com)
- Adam S. Baker, [abakerlaw@sbcglobal.net](mailto:abakerlaw@sbcglobal.net),
- Austin B. Barnes, III, [abarnes@sandhu-law.com](mailto:abarnes@sandhu-law.com)
- Robert D. Barr, [rbar@koehler.law](mailto:rbar@koehler.law)
- David T. Brady, [DBrady@Sandhu-Law.com](mailto:DBrady@Sandhu-Law.com)
- Carrie M. Brosius, [cmbrosius@vorys.com](mailto:cmbrosius@vorys.com)
- Kari B. Coniglio, [kbconiglio@vorys.com](mailto:kbconiglio@vorys.com)
- LeAnn E. Covey, [bknotice@clunkhoose.com](mailto:bknotice@clunkhoose.com)
- Richard W. DiBella, [rdibella@dgmblaw.com](mailto:rdibella@dgmblaw.com)
- Melody Dugic Gazda, [mgazda@hendersoncovington.com](mailto:mgazda@hendersoncovington.com)
- Bryan J. Farkas, [bjfarkas@vorys.com](mailto:bjfarkas@vorys.com)
- Stephen R. Franks, [amps@manleydeas.com](mailto:amps@manleydeas.com)
- Stephen John Futterer, [sjfutterer@sbcglobal.net](mailto:sjfutterer@sbcglobal.net)
- Michael R. Hamed, [mhamed@kushnerhamed.com](mailto:mhamed@kushnerhamed.com)
- Heather E. Heberlein, [hheberlein@bdblaw.com](mailto:hheberlein@bdblaw.com)
- Dennis J. Kaselak, [dkaselak@peteribold.com](mailto:dkaselak@peteribold.com)
- Christopher J. Klym, [bk@hhkwlaw.com](mailto:bk@hhkwlaw.com)
- Jerry R. Krzys, [jkrzys@hendersoncovington.com](mailto:jkrzys@hendersoncovington.com)
- Matthew H. Matheney, [mmatheney@bdblaw.com](mailto:mmatheney@bdblaw.com)
- Shannon M. McCormick, [bankruptcy@kamancus.com](mailto:bankruptcy@kamancus.com)
- Kelly Neal, [kelly.neal@bipc.com](mailto:kelly.neal@bipc.com)
- David M. Neumann, [dneumann@meyersroman.com](mailto:dneumann@meyersroman.com)
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- Drew T. Parobek, [dtparobek@vorys.com](mailto:dtparobek@vorys.com)
- Tricia L. Pycraft, [tpycraft@ccj.com](mailto:tpycraft@ccj.com)
- Kirk W. Roessler, [kroessler@walterhav.com](mailto:kroessler@walterhav.com)
- John J. Rutter, [jrutter@ralaw.com](mailto:jrutter@ralaw.com)
- Frederic P. Schwieg, [fschwieg@schwieglaw.com](mailto:fschwieg@schwieglaw.com)
- Michael J. Sikora, III, [msikora@sikoralaw.com](mailto:msikora@sikoralaw.com)
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- Rachel L. Steinlage, [rsteinlage@meyersroman.com](mailto:rsteinlage@meyersroman.com)
- Richard J. Thomas, [rthomas@hendersoncovington.com](mailto:rthomas@hendersoncovington.com)
- Andrew M. Tomko, [atomko@sandhu-law.com](mailto:atomko@sandhu-law.com)
- Jeffrey C. Toole, [toole@buckleyking.com](mailto:toole@buckleyking.com)

- Michael S. Tucker, [mtucker@ulmer.com](mailto:mtucker@ulmer.com)
- Phyllis A. Ulrich, [bankruptcy@carlisle-law.com](mailto:bankruptcy@carlisle-law.com)
- Leslie E. Wargo, [Leslie@Wargo-Law.com](mailto:Leslie@Wargo-Law.com)
- Elia O. Woyt, [eowoyt@vorys.com](mailto:eowoyt@vorys.com)
- Maria D. Giannirakis, [maria.d.giannirakis@usdoj.gov](mailto:maria.d.giannirakis@usdoj.gov)
- Scott R. Belhorn, [Scott.R.Belhorn@usdoj.gov](mailto:Scott.R.Belhorn@usdoj.gov)

and to the following via regular U.S. mail on February 17, 2020:

RICHARD M OSBORNE, Debtor  
7265 Markell Rd.  
Waite Hill, OH 44094

/s/ Kari B. Coniglio  
Kari B. Coniglio #0081463  
Chapter 7 Trustee

American Land Title Association

ALTA Settlement Statement - Seller  
Adopted 05-01-2015

**Lake County Title, LLC**  
**ALTA Universal ID**  
**306 High Street**  
**Fairport Harbor, OH 44077**

**File No./Escrow No.:** 19049095  
**Print Date & Time:** February 10, 2020 at 09:57 AM  
**Officer/Escrow Officer:**  
**Settlement Location:**

**Property Address:** VL Girdled Road  
Concord, OH 44077  
**Buyer:** Matthew J. Gosnik and Kirsten A. Gosnik  
**Seller:** Kari B. Coniglio as Chapter 7 Bankruptcy Trustee for Richard M. Osborne Trustee  
**Lender:** Middlefield Bank  
**Settlement Date:** February 10, 2020  
**Disbursement Date:** February 11, 2020

Description	Seller	
	Debit	Credit
<b>Financial</b>		
Sale Price of Property	\$ 100,000.00	
<b>Prorations/Adjustments</b>		
County Taxes 07/01/19 to 02/11/20	\$ 805.52	
<b>Loan Charges to Middlefield Bank</b>		
<b>Other Loan Charges</b>		
Document Service Fee	\$ 75.00	
Settlement Fee	\$ 275.00	
Wire Fee	\$ 25.00	
<b>Impounds</b>		
<b>Title Charges &amp; Escrow / Settlement Charges</b>		
Title - Owner's Title Insurance (optional) to Lake County Title, LLC	\$ 287.50	
Coverage: \$ 100,000.00 Premium: \$ 575.00		
Title Exam	\$ 325.00	
<b>Commission</b>		
Commission	\$ 3,000.00	
Commission	\$ 5,000.00	
<b>Government Recording and Transfer Charges</b>		

**ALTA Settlement Statement Seller - Continued**

		Debit	Credit
<b>Payoffs</b>			
<b>Miscellaneous</b>			
Payment	to Citizens Bank, NA	\$ 74,096.25	
Pay Delinquent Taxes	to Lake County Treasurer	\$ 5,756.70	
Admin Fee	to Century 21 Homestar	\$ 250.00	
Bankruptcy Payment	to Kari B. Coniglio Chapter 7 Bankruptcy Trustee	\$ 10,104.03	
<b>Subtotals</b>		<b>\$ 100,000.00</b>	<b>\$ 100,000.00</b>
<b>TOTALS</b>		<b>\$ 0.00</b>	<b>\$ 0.00</b>

**Acknowledgement:**

We/I have carefully reviewed the ALTA Settlement Statement and find it to be a true and accurate statement of all receipts and disbursements made on my account or by me in this transaction and further certify that I have received a copy of the ALTA Settlement Statement. We/I authorize Lake County Title, LLC to cause the funds to be disbursed in accordance with this statement.

Kari B. Coniglio as Chapter 7 Bankruptcy Trustee for Richard M. Osborne Trustee

BY: \_\_\_\_\_  
Trustee

, Escrow Officer

# Closing Disclosure

## Closing Information

**Date Issued** 02/04/20  
**Closing Date** 02/10/20  
**Disbursement Date** 02/11/20  
**Settlement Agent** Lake County Title, LLC  
**File #** 19049095  
**Property** V.L. Girdled Road  
Concord, OH 44077  
  
**Sale Price** \$ 100,000.00

## Transaction Information

**Borrower** Matthew J. Gosnik and Kirsten A. Gosnik  
11917 Girdled Road  
Concord, OH 44077  
  
**Seller** Kari B. Coniglio as Chapter 7 Bankruptcy Trustee for Richard M. O

## Summaries of Transactions

### SELLER'S TRANSACTION

<b>M. Due to Seller at Closing</b>	\$ 100,000.00
01 Sale Price of Property	\$ 100,000.00
02 Sale Price of Any Personal Property Included in Sale	
03	
04	
05	
06	
07	
08	

### Adjustments for Items Paid by Seller in Advance

09 City/Town Taxes	
10 County Taxes	
11 Assessments	
12	
13	
14	
15	
16	

<b>N. Due from Seller at Closing</b>	\$ 100,000.00
01 Excess Deposit	
02 Closing Costs Paid at Closing (J)	\$ 25,098.23
03 Existing Loan(s) Assumed or Taken Subject to	
04 Payoff of First Mortgage Loan	
05 Payoff of Second Mortgage Loan	
06	
07 Payment	\$ 74,096.25
08 Seller Credit	
09	
10	
11	
12	
13	

### Adjustments for Items Unpaid by Seller

14 City/Town Taxes	
15 County Taxes	07/01/19 to 02/11/20
16 Assessments	\$ 805.52
17	
18	
19	

### CALCULATION

Total Due to Seller at Closing (M)	\$ 100,000.00
Total Due from Seller at Closing (N)	- \$ 100,000.00
Cash <input type="checkbox"/> From <input type="checkbox"/> To Seller	

## Contact Information

### REAL ESTATE BROKER (B)

Name	Foley Realtors, LLC
Address	
OH License ID	
Contact	Lynn Foley
Contact OH License ID	
Email	
Phone	

### REAL ESTATE BROKER (S)

Name	Century 21 Homestar
Address	
OH License ID	
Contact	Michelle Webb
Contact OH License ID	
Email	
Phone	

### SETTLEMENT AGENT

Name	Lake County Title, LLC
Address	306 High Street Fairport Harbor, OH 44077
OH License ID	
Contact	
Contact OH License ID	
Email	
Phone	(440)974-8242

## Confirm Receipt

Kari B. Coniglio as Chapter 7 Bankruptcy Trustee for Richard M. Osborne  
Trustee

BY: \_\_\_\_\_  
Trustee

Total number of lines has been exceeded. Please use the individual 2a and 2b documents.

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## Closing Cost Details

Loan Costs	Seller-Paid	
	At Closing	Before Closing
<b>A. Origination Charges</b>		
01 % of Loan Amount (Points)		
02		
03		
04		
05		
06		
07		
08		
<b>B. Services Borrower Did Not Shop For</b>		
01		
02		
03		
04		
05		
06		
07		
08		
09		
10		
<b>C. Services Borrower Did Shop For</b>		
01		
02 Document Service Fee	to Lake County Title, LLC	\$ 75.00
03		
04 Settlement Fee	to Lake County Title, LLC	\$ 275.00
05		
06		
07		
08		
09		
10 Title Exam	to Exam Pros LLC	\$ 325.00
11		
12 Wire Fee	to Lake County Title, LLC	\$ 25.00
13		
14		

**Other Costs****E. Taxes and Other Government Fees**

01 Recording Fees	Deed:	Mortgage:	
02			
03			

**F. Prepads**

01 Homeowner's Insurance Premium ( mo.)			
02 Mortgage Insurance Premium ( mo.)			
03 Prepaid Interest ( per day from to )			
04 Property Taxes ( mo.)			
05			

**G. Initial Escrow Payment at Closing**

01 Homeowner's Insurance	per month for mo.	
02 Mortgage Insurance	per month for mo.	
03 Property Taxes	per month for mo.	
04		
05		
06		
07		

08 Aggregate Adjustment

01 Admin Fee	to Century 21 Homestar	\$ 250.00
02 Bankruptcy Payment	to Kari B. Coniglio Chapter 7 Bankrup	\$ 10,104.03
03 Commission	to Foley Realtors, LLC	\$ 3,000.00
04 Commission	to Century 21 Homestar	\$ 5,000.00
05 Pay Delinquent Taxes	to Lake County Treasurer	\$ 5,756.70
06 Title - Owner's Title Insurance (optional)	to Lake County Title, LLC	\$ 287.50
07		
08		

**J. TOTAL CLOSING COSTS**

\$ 25,098.23

# Closing Disclosure Form Addendum

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**Borrower(s):**

Matthew J. Gosnik and Kirsten A. Gosnik  
11917 Girdled Road  
Concord, OH 44077

**Seller(s):**

Kari B. Coniglio as Chapter 7 Bankruptcy Trustee for Richard M. Osborne Trustee

**Lender:** Middlefield Bank

**Settlement Agent:** Lake County Title, LLC  
(440)974-8242

**Settlement Date:** February 10, 2020

**Disbursement Date:** February 11, 2020

**Property Location:** VL Girdled Road  
Concord, OH 44077

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**Confirm Receipt**

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Kari B. Coniglio as Chapter 7 Bankruptcy Trustee for Richard M. Osborne Trustee

BY: \_\_\_\_\_  
Trustee